

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICHARD THEIS, Derivatively on Behalf of  
Nominal Defendant 2U, INC.,

Plaintiff,

v.

CHRISTOPHER J. PAUCEK, CATHERINE A.  
GRAHAM, PAUL A. MAEDER, ROBERT M.  
STAVIS, GREGORY K. PETERS, TIMOTHY M.  
HALEY, VALERIE B. JARRETT, EARL LEWIS,  
CORETHA M. RUSHING, SALLIE L.  
KRAWCHECK, JOHN M. LARSON, EDWARD S.  
MACIAS, and ALEXIS MAYBANK,

Defendants,

and

2U, INC.,

Nominal Defendant.

Case No. 1:20-cv-03360-PAC

**JOINT STATUS REPORT, STIPULATION, AND [PROPOSED] ORDER REGARDING  
EXTENSION OF COURT'S ORDER STAYING CASE**

Plaintiff Richard Theis (“Plaintiff”), derivatively on behalf of nominal defendant 2U, Inc. (“2U”), and defendants Christopher J. Paucek, Catherine A. Graham, Paul A. Maeder, Robert M. Stavis, Gregory K. Peters, Timothy M. Haley, Valerie B. Jarrett, Earl Lewis, Coretha M. Rushing, Sallie L. Krawcheck, John M. Larson, Edward S. Macias, and Alexis Maybank (collectively the “Individual Defendants” and, together with 2U and the Plaintiff, the “Parties”) jointly submit this Stipulation to extend the stay of this action until January 24, 2023, and in support thereof state as follows:

WHEREAS, on August 9, 2022, the Court granted the Parties' request to extend the stay of the action for forty-five (45) days to allow the Parties to continue to work in good faith to facilitate the Parties' settlement discussions (Dkt. No. 33); and

WHEREAS, the Parties continue to make progress on settlement negotiations and believe the administration of justice is best served by staying the Action until January 24, 2023 to allow the Parties to continue to work in good faith to facilitate the Parties' settlement discussions.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties hereto, through their undersigned counsel, subject to the Court's approval, as follows:

1. The proceedings in this Action, including all deadlines, hearings, and conferences, are temporarily stayed until January 24, 2023.

2. On January 24, 2023, the Parties will inform the Court of their progress with regard to the settlement discussions or if those discussions have stalled, and if appropriate propose a briefing schedule for any motion to dismiss the operative complaint.

3. By entering into this Stipulation, the Parties do not waive any rights not specifically addressed herein. This Stipulation is without prejudice to the right of any Defendant to raise any argument or defense of any kind concerning any of the claims in this Action. By entering into this Stipulation, each Defendant preserves all objections, arguments, defenses, and challenges of any kind to the claims in this Action.

Date: January 3, 2023

Respectfully submitted,

/s/ J. Christian Word  
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*Attorney for Plaintiff*

IT IS SO ORDERED

DATED: \_\_\_\_\_, 2023

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HONORABLE PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE